

IV REMARKS

Claims 1 - 10 are pending in this application, claims 1 - 10 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicant regards as the invention. The drawings stand objected to under 37 CFR § 1.83(a) and corrected drawings have been requested. The specification was objected to as failing to provide an antecedent basis for claimed subject matter.

A. In the Drawings:

The drawings stand objected to under 37 CFR § 1.83(a) for not showing every feature of the invention specified in the claims. More specifically, it was requested that the subject matter of claim 3 be represented in a drawing that illustrated the angular difference between the line connecting the mark to the axis of said housing and the line connecting the stationary point to the axis of the housing equals the actual orientation displacement.

In response, please find attached with this response proposed new Figure 5 in compliance with 37 C.F.R. §1.83(a). Figure 5 reflects the subject matter of claim 3 as originally filed and contains no new matter. Since the drawings of this application now contain every feature of the invention that is specified in the claims of this application, it is respectfully requested that the objection to the drawings under 37 C.F.R. §1.83(a) be removed.

B. In the Specification:

The specification stands objected to as failing to provide proper antecedent basis for the claimed subject matter as required in 37 C.F.R. §1.75(d)(1) and MPEP §608.01(o). It was further requested that the subject matter of claim 3 be presented to the specification.

In response, page 7 of the specification has been amended to reflect the subject matter of claim 3. The amendment to page 7 comprises description reflective of originally filed claim 3 and refers to newly added Figure 5. No new matter is included with this amendment. Since the specification contains proper description reflective of claim 3, a proper antecedent basis for claim 3 exists in the claims. It is therefore respectfully requested that the rejection of the specification for failing to provide a property antecedent basis under 37 C.F.R. §1.75(d)(1) and M.P.E.P. §608.01(o) be removed.

C. In the Claims

Claims 1 - 10 stand rejected under 35 U.S.C. § 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter that the applicant regards as the invention. Claim 1 was rejected on the basis that it recited "a use to more effectively place perforations in a wellbore." Claim 10 was rejected on the basis that it recited the formation of an annulus "within with" an inner surface.

In response, claim 1 has been amended to recite "an apparatus to determine wellbore perforation orientation." Since one of the advantages of the present invention involves determining the orientation of wellbore perforations subsequent to a perforation operation, it is believed that claim 1 as amended is definite and distinctly claims the subject matter that the applicants regard as the invention.

Claim 10 has been amended to now recite "... having an annulus produced within an inner surface..." The term "with" between "within" and "an" has been removed. Applicants believe the amendment to claim 10 provides sufficient clarification so that claim 10 as amended distinctly claims the subject matter of the invention. Since claims 1 and 10 as amended both point out and distinctly

claim the subject matter that the applicants regard as the invention, it is believed that amended claims 1 and 10 are not indefinite. Therefore, it is respectfully requested that the rejection of these claims under 35 U.S.C. §112 be removed.

D. Allowable Subject Matter

Claims 1 through 10 were objected to under 35 U.S.C. §112 as being indefinite for failing to particularly point out and distinctly claim the subject matter the applicant regards as the invention. However these claims were found to be allowable if amended to overcome the rejections under 35 U.S.C. §112. Since claims 1 and 10 have been amended and now do point out and distinctly claim the subject matter of the present invention, claims 1 - 10 are now in condition for allowance. It is respectfully requested that these claims be allowed.

E. Miscellaneous

Editorial amendments are included with this response. On page it is requested that the phrase "a material" be inserted on page 5, line 19 between "comprised of" and "such as." Addition of this phrase adds clarity to the specification without adding new matter. Further to be in compliance with on page 5 line 19, it was requested that the term Primacord® be replaced with PRIMACORD® so that the trademarked term be capitalized.

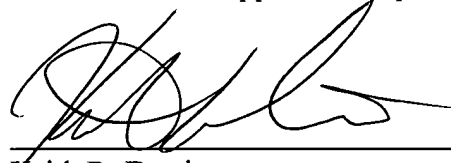
Claim 3 has been amended for clarity and the term "housing" has been replaced with the term "annulus."

V. CONCLUSION

It is respectfully urged that in light of the above stated amendments and submissions, that Applicants' claims are patentable in light of 35 U.S.C. §112 and that the drawings and specification are acceptable as amended. It is believed that the foregoing response is full and complete. Applicants respectfully request reconsideration of the instant application in light of the foregoing response and amendments.

Should the Examiner have any questions, comments or suggestions in furtherance of the prosecution of the application, the Examiner is invited to contact the Applicants' representative by telephone or fax.

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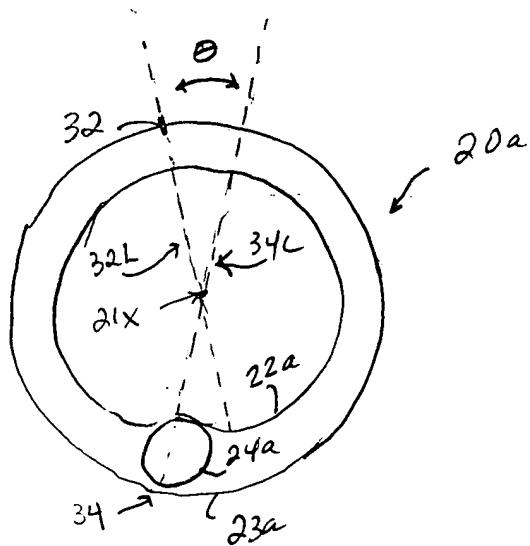


FIGURE 5